

the teachings of Seliger. The Examiner appreciated Applicant's argument. She understandably reserved final judgment, but requested that Applicant submit a response presenting the arguments from the Interview Agenda and indicated that she would reconsider the rejection. Thus, much of the argument presented below is lifted directly from the Interview Agenda that was filed on July 27, 2006.

REJECTION OF THE CLAIMS

All of the claims are rejected under 35 U.S.C. §103 as purportedly being obvious over Besaw in view of Seliger, or as purportedly being obvious over Besaw in view of Seliger and further in view of Judge. These rejections are respectfully traversed.

1. Independent Claims 48 and 66 and The Claims Depending Therefrom

Each of independent claims 48 and 66 requires that the first and second applications that share a context execute on different computers. The Office Action concedes that Besaw does not disclose this feature. (Office Action, page 3). However, the Office Action asserts that Seliger discloses a method for coordinating updates to a medical database from applications executing on different computers, and asserts that it would have been obvious to "modify Besaw by incorporating Seliger's teachings of a method for coordinating updates to a medical database on two different computers, for the purpose of allowing users to concurrently updated data without locking and to avoid delays in charting of medical information, without creating confusion or ambiguity in the stored medical information." Applicants respectfully disagree.

Besaw and Seliger are directed to very different (and in many ways even mutually exclusive) systems. Thus, it is not clear what type of system configuration the Examiner believes one of skill in the art would have been led to based upon the combined teachings of these references.

a. The Teachings Of The References

Besaw is directed to a system for sharing information in a web session between multiple applications that all execute on the same computer (i.e., a web server) and are all launched from a same instance of a web browser, with only one web session being allowed per web server for any given browser. (col. 3, lines 13-15 and col. 4, lines 43-47). Thus, the entire focus of Besaw is to enable a single user to more easily use multiple different types of applications via a single computer, by allowing the sharing of session information amongst those multiple applications for that user.

Seliger is directed to solving a completely different type of problem, i.e., coordinating updates from multiple independent users that are accessing a common application program (i.e., a database program) via separate computers (e.g., col. 1, lines 15-17 and lines 25-28). Thus, the only thing shared by the multiple instances of the database application is the common set of data accessed thereby.

Thus, Besaw relates to a system for sharing information amongst multiple different types of application programs used by *a single user on a single computer*, and Seliger relates to ensuring the consistency of a data set accessed via multiple instances of a same database application program being used by *different users on different computers*.

b. One Of Skill In The Art Would Not Have Been Led
To A System Meeting The Limitations Of The Claims
Based Upon The Combined Teachings Of
Besaw and Seliger

As should be appreciated from the foregoing, Besaw and Seliger are directed to very different systems, and the teachings of them may well be mutually exclusive. In this respect, the teachings of Seliger are directed to solving the problem of coordinating updates to a database used by multiple users on different computers simultaneously. This problem simply is irrelevant to the system of Besaw, which is directed to sharing session information among different types of applications being used by a single user on a single computer. Similarly, the teachings of Besaw as to how to share information among multiple applications used by a single user on a single computer are irrelevant to the system of Seliger.

The Office Action asserts that it would have been obvious to modify Besaw by incorporating Seliger's teachings to enable users to concurrently update data without locking it. If the system of Besaw were used in a computer system wherein multiple users could concurrently update a database, it may be fair to suggest that the techniques of Seliger could be used to coordinate updates between multiple users on multiple computers. However, although it is not explicitly stated, the nature of the rejection appears to suggest that the Examiner believes it would have been obvious (based upon the teachings of Seliger) to use the session information techniques of Besaw to share information between applications executing on different computers. To the extent the rejection relies upon such an assertion, Applicant respectfully points out that it is unsupported.

It is Applicant's belief that one of skill in the art would not have been motivated by the teachings of Seliger to use the session information sharing techniques of Besaw to share session information between applications executing on multiple computers to enable the concurrent updating of data (as alleged by the Office Action) for multiple reasons.

First, there is no teaching or suggestion that the applications in Besaw that share session information access a common data set. For example, there is no teaching or suggestion that a particular user would launch multiple instances of a database application program to access a common database, nor is it clear how a single user could use multiple instances of a database application simultaneously so as to benefit from the coordinating techniques of Seliger.

Second, the techniques of Besaw are limited to sharing session information for a single user on a single computer.

In view of the foregoing, it is respectfully asserted that independent claims 48 and 66 patentably distinguish over the prior art of record. Therefore, it is requested that the rejection of these claims, as well as claims 49-55 and 58-74 that each depends (directly or indirectly) from one of them, should be withdrawn.

2. Claim 75

Claim 75 is directed to a method of sharing context between at least first and second applications that comprises, inter alia, passing context information about at least one changed subject over a network between the user interface for the first application and a context manager,

and between the user interface for the second application and the context manager. As stated in the prior response, Besaw teaches only the initialization of session information, and not performing any update when a context subject changes.

The Office Action concedes that Besaw does not disclose maintaining a context by passing context information about a changed subject. (Office Action, page 4). However, the Office Action asserts that Seliger discloses a method of coordinating updates, including initially establishing a context and maintaining the context by passing context information about a changed user subject, patient subject and encounter subject between user interfaces for two applications and a context manager. Applicant respectfully points out that this interpretation of Seliger is unsupported by the reference, as the use of a common database accessed by two applications is not believed to constitute the sharing of a context. In addition, Applicant sees no teaching in Seliger of sharing context information including a user subject, patient subject and encounter subject.

The Office Action asserts that it would have been obvious to modify Besaw based on Seliger “for the purpose of allowing users to concurrently updated data without locking and to avoid delays in charting of medical information, without creating confusion or ambiguity in the stored medical information.” (Office Action, page 5). Although not explicitly stated, the nature of the rejection appears to suggest that the Examiner believes it would have been obvious (based upon the teachings of Seliger) to modify Besaw so that the session properties are not only initialized, but also vary over time and are updated. Applicant disagrees for multiple reasons.

First, there is no teaching or suggestion in Besaw that the session properties vary over time. In fact, they appear to be directed to properties that are stagnant (e.g., a user name, user role and locale or language). (col. 1, lines 57-59; col. 3, lines 27-33; and col. 4, lines 20-24). Thus, one of skill in the art would not have been motivated to implement a technique for updating any of these properties.

Second, the sharing of a common database accessed by different users on different computers is entirely unrelated to the system of Besaw. Thus, one of ordinary skill in the art aware of Seliger’s teachings for maintaining a coherent data set would not have been motivated to make any change to Besaw’s system for initializing a web session.

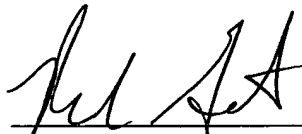
In view of the foregoing, it is respectfully asserted that claim 75 patentably distinguishes over the prior art of record, such that the rejection of claim 75 should be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, this application should now be in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes, after this amendment, that the application is not in condition for allowance, the Examiner is requested to call the Applicant's attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,
Robert Seliger, Applicant,



Richard F. Giunta, Reg. No. 36,149
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, MA 02210
Tel. (617) 646-8000

Docket No. S1389.70009US00
Date: August 2, 2006
08/15/06